

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

ANTHONY RAHSHAD BROWN, #13710-003

PETITIONER

V.

CIVIL ACTION NO. 3:22-CV-495-KHJ-MTP

C. HARRISON

RESPONDENT

ORDER

Before the Court is the [19] Report and Recommendation (“Report”) of United States Magistrate Judge Michael T. Parker. The Report recommends granting Respondent C. Harrison’s [17] Motion to Dismiss for Mootness and dismissing Petitioner Anthony Rahshad Brown’s [1] Petition for Writ of Habeas Corpus without prejudice. [19] at 2. Written objections to the Report were due May 30, 2023. *Id.* at 2–3. The Report notified the parties that failure to file written objections to the findings and recommendations by that date would bar further appeal in accordance with 28 U.S.C. § 636. *Id.*

When no party has objected to a magistrate judge’s Report, the Court need not review it de novo. 28 U.S.C. § 636(b)(1). Instead, the Report is reviewed under the “clearly erroneous, abuse of discretion and contrary to law” standard of review. *United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989).

Brown seeks habeas relief, asking the Court to order the Bureau of Prisons to update his risk level and apply certain “earned time credits” under the First Step Act. [1] at 2; [1-1] at 3. He filed his [1] Petition on August 25, 2022. Harrison moved

to dismiss, arguing the Petition is moot because he has already received his requested relief through the BOP's administrative process. [17] ¶¶ 5–7. The Court ordered Brown to show cause by May 9, 2023, as to why it should not dismiss the case as moot. Order [18]. Brown failed to respond.

The Magistrate Judge recommends dismissing the [1] Petition without prejudice because it is moot. [19] at 2. Brown did not object to the Report, and the time to do so has passed. The Report is neither clearly erroneous nor contrary to law.

IT IS, THEREFORE, ORDERED AND ADJUDGED that the [19] Report and Recommendation of United States Magistrate Judge Michael T. Parker is adopted as the opinion of this Court. The Court GRANTS Respondent C. Harrison's [17] Motion to Dismiss for Mootness and DISMISSES Petitioner Anthony Rahshad Brown's [1] Petition without prejudice.

The Court will issue a separate Final Judgment consistent with this Order.

SO ORDERED, this the 5th day of June, 2023.

*s/ Kristi H. Johnson*  
UNITED STATES DISTRICT JUDGE